Manitoba

Graduated Driver Licence

Task Force Report

June 2000

Some notable quotes from Manitobans.

"There is one drive that you never want to have to take with your child and that is in the funeral procession."

"I don't know how the graduated licences will work or whether it might have helped prevent the accident that took the life of our bright loving son. I just know that our lives have been changed irreparably and anything that might have helped prevent our loss would be a good thing ."

"The current Manitoba Licencing system does not measure competency except by the passage of time."

"People, no matter how young or old, need a learning period. You can't learn to be a safe driver in two weeks.

"We need a made in Manitoba GDL program and should be leaders not followers in setting the standard."

"Any decisions or recommendation that you make should be evidence based, not on public opinion."

"I know some people have concerns about graduated licencing as being more legislation and big brother but speaking as a police officer I would rather write a traffic ticket than do a death notification."

Manitoba

Graduated Driver Licencing Task Force

Process

On January 27, 2000 the Honourable Steve Ashton, Minister of Highways and Government Services, announced the commissioning a Graduated Driver Licence Task Force. The Task Force was comprised of five government MLA's including Nancy Allan MLA St. Vital, Jim Rondeau MLA Assiniboia, Scott Smith MLA Brandon West, Gerrard Jennissen MLA Flin Flon and Daryl Reid MLA Transcona.

The Minister of Highways requested that the Task Force conduct province wide public consultations with Manitobans' regarding graduated driver licencing.

Manitobans were notified of the Task Force hearing location dates, time and places through press releases to the electronic and print media as well as print advertisements in Manitoba community newspapers. Open invitations were also sent to every Manitoba school division office and to all First Nations Councils.

Hearings

The main question placed before all Manitobans' was "Should Manitoba introduce some form of Graduated Driver Licencing Program?" Given its mandate, the Task Force conducted 14 meetings in 13 different Manitoba communities in twenty-nine days, during February 2000. Public consultations commenced in Portage la Prairie on February 3rd and concluded with Winnipeg East on February 29th. In addition to the above communities, public consultations were held in The Pas, Flin Flon, Thompson, Arborg, Boissevain, Brandon, Dauphin, Swan River, Winkler, Steinbach, Lac du Bonnet, and Winnipeg West.

In open public meetings, the Task Force members advised the public that the hearing process started with a clean slate, with no preconceived plan. Manitobans would be the judge if a Graduated Driver Licencing program would benefit our new drivers and improve public safety.

During public consultations the Task Force presented information relating to the current licencing process in Manitoba, provided an overview description of what Graduated Driver Licencing (GDL) means including some possible options as well as providing an inter-jurisdictional comparison of successful Canadian GDL programs. In addition, statistical information was provided relating to Manitoba's current driver crash rates, broken down by age groupings and gender while also comparing the crash statistics for drivers in the learner, novice and experienced driver categories. At the conclusion of the Task Force presentation eight main questions were directed to the audience. This led to a question and answer session with a full open dialogue between the public present and members of the Task Force team. After responding to all questions posed, the public was invited to make formal verbal and written presentations.

The Task Force would like to acknowledge and thank the many hundreds of Manitoba people who attended the public consultation meetings, sent in GDL surveys, mailed letters, e-mailed comments or faxed suggestions to the Task Force.

We also make special mention and thank the many families, who came forward and shared their very unfortunate personal tragedies. These families still grieve the loss of children and adult family members who were victims of novice driver at-fault motor vehicle accidents. These family members spoke for those who no longer have a voice. These stories will be forever etched in the minds of the Task Force members.

The Task Force would like to thank the Department of Driver Vehicle Licencing for their very knowledgeable technical support. Without the research and advice of our dedicated staff much of this report would not be possible.

Additional Consultations

The Winnipeg Police Service, Brandon Police Service, East St. Paul Police Force who represented all other municipal police forces and the RCMP were invited to provide comment at a scheduled meeting.

The Manitoba Public Insurance Corporation was also invited to comment at a separate scheduled meeting.

The Task Force also consulted with other Canadian provinces that currently have a Graduated Driver Licence program. Provinces consulted include British Columbia, Nova Scotia, Prince Edward Island, New Brunswick and Ontario.

Current Manitoba Driver Licencing

The federal Courts have determined that each province and territory have the responsibility to establish rules for safe vehicle operation and to determine who is eligible for driver licensure. The Courts have expressed that a driver licence is a privilege not a right. In an effort to enhance road safety, provincial governments have enacted a Highway Traffic Act establishing the rules for safe motor vehicle operation.

During the operation of a motor vehicle, drivers are require to perform a series of complex psychomotor tasks, often simultaneously, under multiple environmental conditions involving many driving distractions. Driving can be dangerous, yet the instruction requirements and testing we attach to obtaining a drivers licence is minimal.

In Manitoba, after passing a vision and knowledge test, a person may obtain a learner permit at 16 years of age or 15 ½ years of age if enrolled in a driver education-training program. With as little as two weeks of supervised driving training, a learner may challenge the 20-minute road test. This can occur without novice driver exposure to all weather, all season driving conditions and without experiencing any gravel roads, highway driving or rural/urban driving conditions.

After meeting the minimal requirements of the road test an individual becomes a probationary driver permitting the person to drive unsupervised

anytime, anywhere. If a probationary driver maintains a clean driving record for 12 months without a traffic conviction, the driver becomes a fully licenced driver. This can occur without the probationary driver ever demonstrating vehicle handling skills, hazard perception knowledge and attitude, possibly without operating a vehicle during the 12-month probation.

If the probationary driver is convicted of a traffic offence that occurred during the twelve months, the probationary driver receives a licence suspension of twenty-eight days up to a maximum of ninety days. In addition to the suspension, the probation period starts over. The length of the suspension is determined by the severity of the offence and the number of previous convictions

If a probationary driver is involved in a full or partial at-fault motor vehicle accident, the driver is not subject to a suspension under the probationary driver program. However the driver could be requested to attend a "Show Cause" hearing based on an unacceptable accident involvement.

Manitoba Crash Statistics

In Manitoba, motor vehicle accidents are the leading cause of death among 16 to 19 year-olds. Statistics indicate that for every 9 ½ new drivers 16 and 17 years of age, one will be involved in a motor vehicle accident. By comparison those drivers age 18 and 19 years will have one accident for every 6.8 drivers. The accident involvement declines significantly after age 25.

Between 1995 and 1998 there were 57 fatal, novice driver at-fault accidents resulting in 69 fatalities.

The College of Physicians & Surgeons of Manitoba, Paediatric Death Review Committee cited 14 fatal motor vehicle accident cases between 1995 and 1999, involving inexperienced drivers.

Learner drivers (all ages) represent 3% of some 700,000 licenced Manitoba drivers. Yet, learner drivers represent less than 1% of drivers involved in crashes. The learner driver must be accompanied at all times by a supervising driver with at least two years of driving experience. There are 14 male learner driver crashes for every one thousand learner drivers.

Female learner drivers are involved in 8 crashes for every one-thousand female learner drivers.

By comparison, the novice, probationary driver (all ages) operate a motor vehicle unsupervised, has less than two years driving experience and represents 4% of all licenced Manitoba drivers. The novice driver represents 13% of drivers involved in motor vehicle crashes, significantly over-represented. There are 168 male novice driver crashes per thousand novice drivers while the female novice crash rate is 113 per thousand female novice drivers.

Again by comparison, the experienced driver has more than two years driving experience drives unsupervised and represents 93% of all licenced Manitoba Drivers. While experienced drivers form the largest constituency percentage they are represented in just 86% of crashes.

Male experienced drivers are involved in 51crashes per thousand male experienced drivers while female experienced drivers are involved in 35 crashes per thousand female experienced drivers.

The average crash rate of all Manitoba male drivers is 57 crashes per thousand male drivers while the female driver average crash rate is 38 per thousand female drivers.

Comparing the crash rates of the learner, novice and experienced driver groups, one can clearly see that the safest driving stage is the learner driver. It is also apparent that the novice driver crash rate is 300% higher then the experienced driver. This novice driver crash rate occurs in each age category across the full age spectrum.

The relative involvement rates do not take into account the number of vehicle kilometers travelled by each age group. It may be safe to suggest that the experienced driver group may, on average, travel greater distance then the learner and novice groups.

Over the four-year period 1995 to 1998, novice driver populations have remained fairly constant when compared to the overall number of licenced drivers. In the last year of record some 58,000 Manitoba drivers were learner/novice drivers out of a total Manitoba licenced driving population of approximately 700,000 drivers.

Graduated Driver Licences

Traffic injury research experts indicate that between two and five years of motor vehicle operational experience are required before a driver is considered to be in possession of the skills, knowledge and attitude necessary for safe driving. This appears to be supported by Manitoba motor vehicle crash statistical information.

In Manitoba, when comparing the crash rate of the inexperienced new driver to the experienced driver, we find that the crash rate of the inexperienced driver, of any age, is 300% higher than that of the experienced driver. These comparisons are made on a per thousand driver basis across the full age spectrum. In other words, the novice driver is three times more likely to be involved in a motor vehicle accident than an experienced driver. An inexperienced driver is a person, who drives unsupervised, but has less than two years of driving experience. An experienced driver, drives unsupervised, and has more than two years of driving experience.

To address the unacceptably high number of inexperienced driver at-fault motor vehicle crashes, many State, Provincial and Territorial governments around the world have implemented a graduated driver licence program. Graduated Driver Licence programs range in length from two years to two years six months. All Graduated Driver Licence programs have a number of conditions and restrictions attached to the associated stages.

During our public consultation process Manitobans clearly expressed an interest in a made in Manitoba GDL program. In addition there appears to be sufficient evidence to support a relatively unique program for Manitoba.

As stated earlier, traffic injury research experts indicate that between two and five years of vehicle operation are required to become an experienced vehicle driver with the necessary operational skills, knowledge and attitude. Yet the majority of the current Canadian GDL programs only provide for the minimum recommended period of training time.

To ensure that an inexperienced driver receives more than just the minimum training, and in addition to the learner stage and the intermediate stage, it would be advisable to add a further one year of probationary driver licence for a third phase of a made in Manitoba GDL program.

This third phase would permit every new driver who has completed the first two steps of a GDL program, a probationary licence with just three conditions/restrictions. The first is maintaining a zero blood alcohol content. The second requires that the graduated driver be-free from at-fault accidents, Highway Traffic Act and Criminal Code driving offences, while the third restricts passengers in the vehicle. Failure to comply could involve the driver in a show cause hearing involving a range of options available to the Department of Driver Vehicle Licencing (DDVL).

This recommendation will make Manitoba unique in Canada in that we will have a full three stage graduated driver licence program by ensuring that not only skills and knowledge are acquired but that the proper longer term driving attitude is also required. Program conditions and restrictions will be gradually reduced throughout the three phases as the new driver maintains a violation and at-fault accident free record and successful completion of the road tests.

A summary of the Graduated Driver Licence Task Force recommendations may be found at the end of this report.

Results of Public Consultations

Attached, as an addendum to this report, are a series of charts that indicate the advice received from Manitobans. (Chart 1.1 through 1.14 all surveys)

Based on the comments, advice and suggestions received from Manitobans on Graduated Driver Licencing, the following indicates the combined opinions of Manitobans and the recommendations of the Graduated Driver Licence Task Force.

1. Should Manitoba introduce some form of Graduated Driver Licencing (GDL) program?

As a result of the public consultation process it has been determined that overall, 90% of Manitobans, who participated in the public consultation process, support the introduction of a Manitoba Graduated Driver Licence system. Support for the program was particularly high in rural Manitoba where 92% support the introduction of GDL.

Based on the overwhelming support of Manitobans, the Graduated Driver Licence Task Force recommends that the Manitoba Provincial Government introduce legislation at the earliest opportunity commencing a full three stage Graduated Driver Licence program followed by full licensure. The program should be comprised of the Learner, Intermediate and Probationary stages. Each stage should have a distinguishable drivers licence, and vehicle sign/plate.

The Task Force recommends that no commercial driving licence be issued for licence Class 4 through Class 1 until an individual completes the full Graduated Driver licence program.

2. Should there be a no-alcohol tolerance component to a Manitoba Graduated Driver Licence program?

Manitobans have clearly indicated that any impairment of a vehicle operator by means of alcohol consumption or other substances is not acceptable. 97% of respondents have indicated that a Manitoba Graduated Driver Licence program should have a zero blood alcohol condition.

In consultation with our federal and municipal law enforcement services, the Task Force has been advised that, in nearly all regions of Manitoba, our police officers are currently equipped with near state-of-the-art roadside screening devices. Less than ten of the digital Draeger 7410 screening devices would be required to provide our police forces with the recognized and accepted road side screening device.

It is the recommendation of the Task Force that there be a zero blood alcohol tolerance requirement for the learner stage driver, the intermediate stage driver and the probationary stage driver. Any contravention would result in a non-appealable, one-year suspension. Contravention also requires, after the suspension is served, restarting the prior stage over without credit for prior time served and retaking the applicable test.

It is further recommended that GDL drivers, like current experienced drivers, be required to refrain from operating a motor vehicle when consuming other prescribed medications that may impair their vehicle operational capabilities.

It is also recommended that those Manitoba police services currently not in possession of the approved/accepted alcohol roadside screening device be equipped with the digital Draeger 7410 or a legally acceptable alternate.

We also recommend that legislation be changed to require that the supervising driver identify themselves to police and submit to an alcohol breath test, if requested.

We also recommend, as a result of at-fault accidents and violations, that Novice drivers be subject to Driver Improvement sanction options ranging from no action, to licence suspension and stage extension or restart.

3. Should there be passenger restrictions?

During the public consultation process Manitobans expressed a variety of comments on the topic of passenger restrictions. 42% indicated support for the option of the supervising driver and passengers restricted to the number of functional seat belts. Another 28% want passengers restricted to the supervising driver and family while a further 21% desire a passenger restriction of the supervising driver, only.

Traffic accident research experts indicate that the Learner Stage is presumed to be a low-risk training environment, free from internal vehicle distractions to allow for continual, uninterrupted communication and instruction between the learner and the supervising driver. The learner phase is not meant to provide a new family chauffeur. Through constant guidance by the supervising driver, the new driver will acquire the safe vehicle handling skills, knowledge and attitude before advancing to the unsupervised driving stages.

Of the six Canadian provinces with GDL, three allow only the supervising driver while another province allows only the supervising driver in the front seat and one other passenger. The two other GDL provinces permit only one front seat passenger being the supervising driver plus the balance of the number of functional seat belts.

The Task Force recommends that a Manitoba Graduated Driver licence program restrict the number of passengers by each stage as follows:

a) Learner Stage:
The supervising driver only and in the front seat;
Except a certified driving instructor as the supervising driver, plus one student observer;

b) Intermediate Stage:
Number of functional seat belts except,
Midnight to five AM one passenger or,
Midnight to five AM supervising driver as the only front seat passenger plus number of functional seat belts.

c) Probationary Stage – Passengers restricted to only one front seat passenger plus the number of functional seat belts.

d) Full Licence Stage – Restricted to the number of functional seat belts in the vehicle;

4. What would be a suitable length of time for Learner stage?

Manitobans who participated in the public consultation process were split on the length of time for the Learner Stage. 49% preferred that the learner stage set at a minimum of six months while 33% indicated a twelve-month period. The remaining 18% were split on a variety of options.

One specific message that was clearly expressed throughout all fourteen public meetings was the fact that all season driving experience was essential to the necessary skills development of the beginning driver. The public expressed not only the importance of all season, supervised driver training but also the importance of teaching on all road types, all traffic conditions rural and urban, where possible, and supervised instruction during daylight and darkness.

Throughout Canada, provinces with GDL programs require different lengths of learner stage. Most provinces require a twelve-month learner stage but make provisions for a time credit buy-down for individuals who enroll in and successfully complete driver education training. The time credit can range from three months to eight months. While the time is deducted from the learner stage it is added to the intermediate stage so that the learner is involved with the GDL system for a minimum of 24 months.

One province requires the driver instructor to complete a certificate of qualification for the student before the student can challenge the first road test. Another province allows the driver education training instructor to provide the training and the road test. Of the five Canadian provinces consulted, the vehicle operation time, in driver education training, ranged from 10 to 12 hours. Manitoba's driver education training program requirement of just 8 hours vehicle operation time appears deficient by Canadian standards.

Traffic injury research experts have concluded that a longer learning period reduces crashes. The time discounts for enrolment in a driver-education-training program occur during the most critical learner training stage. It seems illogical to expect and to equate a time discount of three to eight months as an equal substitute for just eight vehicle operational hours provided by driver education training programs.

Driver Education Training

Throughout the Task Force GDL hearings, the concept of a graduated driver licence program received widespread support from the driver education training community. The public also expressed support for driver education training currently provided through the Manitoba Public Insurance Corporation, although many indicated improvements were needed for the program. Concerns raised ranged from low vehicle operation hours to lack of training cars to a request from vehicle suppliers that cars be used only on paved roads. Driver Education instructors indicated that, on average, driver education students travel just 175 to 250 kilometres during their eight hours behind the wheel.

It was evident that the public perceives some benefit accrues to the student of a formal driver education program. The underlying premise being that a trained driver would be a safer driver. A safer driver being one who would have less vehicle accidents then those untrained.

Many Manitobans expressed interest in having the Driver Education program incorporated into the high school curriculum as a credit subject. Some indicated that consideration should be given for the nearly 50% of new drivers who are no longer in the school system. MPIC recently increased its subsidy of the Driver Education training program by lowering the fee charged from $100 down to $50. In addition to the MPIC program, Manitoba has many commercial driver training schools.

During consultations with other Canadian provinces it was learned that fees charged for formal driver education training are comparable to those fees charged by Manitoba commercial driver training schools. In most cases training is provided by private instruction through the Young Drivers of Canada, the Canadian Automobile Association or the provincial Safety Councils. The fees range from a low of $275 to near $700 depending on the province and the driver education instruction provider.

British Columbia is the only Canadian jurisdiction we are aware of that designed a course specifically for recognition under a graduated driver licencing system. British Columbia also developed a new driver instructor training course, new standards of course delivery and established a driving school inspection group, to ensure driver training schools meet provincial standards. Except for our Manitoba Public Insurance Corporation sponsored

course, Manitoba currently does not have a standard course curriculum used by driver training schools.

Since the late 1970's, a number of traffic injury research experts throughout North America have conducted research into the effects that formal driver education training may have on a novice drivers ability to avoid motor vehicle accidents. These studies used statistical crash evidence of each jurisdiction under review. The results were disappointing. There does not appear to be any reduction in crash rates for those novice drivers who completed formal driver education training compared to those who did not. While the Task Force did not review every study individually, the Traffic Injury Research Foundation describes the results as unfavourable.

Several Canadian provinces, recommend that Manitoba not incorporate a time credit buy-down into our GDL program until it can be clearly determined what our expectations are from a formal driver education training program. If the intent of formal driver training is crash reduction it should be demonstrated through future evaluation of Manitoba's novice driver crash experience. Such a study would compare the crash experience for those who complete the formal driver education training with those who do not take such training. If the intent were additional driving instruction experience as a supplement to other adult instruction then no study would be necessary. It would also be prudent to not provide a Learner stage time buy down.

The Manitoba Public Insurance Corporation has recently commenced a survey of former high school driver education students. This anecdotal study has been mailed to some 30,000 former students who completed the MPIC sponsored driver education-training program within the last five years. Since the study does not appear to include statistical evidence it would be unwise to incorporate a time credit buy-down against the learner stage time until the hard evidence effects of driver training can be determined.

Should it be determined that a structured formal driver education instruction program can demonstrate a reduction of inexperienced driver accidents then a decrease in learner stage time may be warranted. If a learner stage time reduction occurs then any off-setting comparable time should be attached to the intermediate stage leaving the total time a new driver spends in the three stage Manitoba GDL program at 36 months. The public also requested that

an investigation and evaluation of the commercial driver training programs be undertaken to determine if there is a demonstrated crash reduction for those completing such training.

The Task Force recommends that as a precondition to entering the Learner Stage the new driver be required to pass a vision and a written knowledge test. Failure of written test would require that the applicant wait a minimum of seven days prior to rewriting the test.

The Task Force recommends that a Manitoba GDL Learner stage be a minimum of twelve months, to ensure all season driver training. It is also recommended, for any learner time period less then twelve months, that the difference between the time chosen and twelve months be added to the intermediate stage.

It is also recommended that upon demonstrating 12 consecutive months free of an at-fault accident and/or a moving violation, the Learner driver be eligible to challenge and pass a primary road test.

The Task Force recommends that a statistical evaluation be commenced to determine the traffic violation and vehicle crash experience comparing those who completed formal driver training and those who did not.

The Task Force recommends that formal driver training program standards be established, including instructor training, curriculum, course delivery, inspection of all programs and statistical feedback (traffic violations and vehicle crash rate) to the instructor trainer community.

The Task Force recommends that new drivers be a minimum of sixteen years of age (HTA sec. 174.1). We also recommend that new drivers continue to be permitted to enrol in the high school driver-training program and commence driving at 15 years, 6 months of age. This time should be considered additional training and not credited towards the Learner Stage time.

5) *What criteria should be used for determining an eligible supervising driver?*

In addition to the province wide MPIC sponsored high school driver education programs and commercial driver instruction training, it is a well-known fact that most beginning drivers receive some parental driver instruction. The in-school driver education program requests that parents and their children attend a presentation. During the presentation parents are strongly encouraged to provide a significant part of new driver training.

Formal driver education program training is meant to be in addition to the training provided by an experienced supervising driver. In many cases the experienced driver is a family member who usually has only the benefit of some years of vehicle operation experience. The supervising driver may have come into conflict with safe vehicle handling practices through violation of the Highway Traffic Act or the Criminal Code moving violations or through at-fault accidents. It seems inappropriate to expect that a learner driver receive instruction from a driver who may have received strong sanctions for moving violations or subsequent at-fault accidents within a period of time immediately before being called upon to be a supervising driver.

The Manitoba public clearly expressed that a supervising driver's record be taken into consideration for eligibility as a supervising driver. 42% of Manitobans indicated that a supervising driver should hold a full driving licence for a minimum of two years while 38% indicated three years full licence. A further 10% indicated a preference for one year.

The criteria for supervising driver eligibility in other Canadian provinces range from fully licenced to a full four years as an experienced driver while others indicate minimum ages ranging from nineteen years to twenty-one years of age.

In earlier sections of this report, the Task Force is recommending that a new driver not complete our graduated licence program until a full three years, two road tests and a clear driving record have been established. Only after having met all GDL program requirements, a driver would be considered an experienced driver. Manitobans have indicated a preference between two and three years full driving experience be the criteria established.

Considering the close public opinion, if additional caution is warranted, we must decide in favour of a safety consideration.

The Task Force recommends that the criteria for eligibility as a supervising driver be as follows:

- **Minimum of three years full licenced driving experience in the class of licence being instructed;**
- **The supervising driver must hold a valid driver licence for two consecutive years after the expiration of a criminal code suspension or a suspension as a result of driver improvement and control action.**
- **The supervising driver blood alcohol reading be less then 50 mg% (.05 BAC) (HTA charge & demerits)**

6) Should there be a night-time driving curfew? Exemptions?

During the public consultation process Manitobans indicated a strong interest in having a Manitoba GDLP with a night-time driving curfew component. Overall, while 21% did not want a curfew, 35% expressed support for a midnight to five AM curfew. A further 20% of respondents indicated eleven PM to five AM driving prohibition while 9% thought ten PM until five AM was sufficient.

While Manitobans expressed an interest in a night driving curfew the interest varies by type of exemption. 76% of Manitobans indicated that any night driving curfew should have an exemption for farming duties, 79% an exemption for employment while another 46% expressed a need for night driving exemptions for education related activities.

Research of our Manitoba crash experience indicates that 55% of novice driver crashes occur between the daylight hours of 12 noon and 9 PM usually on Saturday and Sunday.

Of the Canadian provinces with a GDL program, British Columbia and Ontario and Newfoundland have a midnight to five AM night driving curfew during the Learner stage, although for different reasons. Ontario has determined that the learner is too inexperienced to be on the road during night hours while BC indicates their curfew is to protect the learner from other aggressive or unsafe drivers.

During the Intermediate Stage only Nova Scotia and Newfoundland restrict novice night driving between midnight and five AM although with work exemptions.

In Manitoba, to be entirely effective, a curfew would have to be so restrictive in its requirement that there would be no novice drivers on our roads for the majority of the day and night.

During public consultations, the Task Force repeatedly heard from Manitobans, who strongly indicated that any curfew must include exemptions for activities such as farming, education and employment. To be effective a curfew has to be reasonable and enforceable.

After careful consideration of the statistical facts including consultation with our various Manitoba police forces, our Task Force must conclude that a night driving curfew may be largely ineffective. Given the demand for so many exemptions such a curfew would be largely unenforceable.

Should future accident statistics demonstrate a change in experience or the public lessen its demand for exemptions then a night driving curfew may be warranted.

The Task force recommends that there be no night driving curfew.

7) *What would be a suitable length of time for an Intermediate stage?*

During public consultations, Manitobans indicated that our GDL program should include an intermediate stage and that stage should be a minimum of 1 year and perhaps as long as 2 years. 62% indicated a one-year time, 8% a one and one-half year length while 23% approved of a two-year intermediate stage.

In any GDL program the intermediate stage is the first step in unsupervised driving and represents an increased risk for the new driver. The purpose of a GDL is, with demonstrated driver skill development, a gradual decrease in conditions and restrictions. The Task Force considered an optional sunset provision where there would be no advanced road test but dismissed this option. At the end of the second year, without an advanced road test, there would be no level of assurance that the novice driver was in possession of the skills, knowledge and attitude comparable to that of an experienced driver. The purpose of the Graduated Driver Licence program is to raise the standard of new driver competency and to test for that competency.

It is on this basis that the following recommendations are made.

The Task Force recommends that the Intermediate Stage be set at 12 months.

It is also recommended that upon demonstrating 12 consecutive months free of an at-fault accident and/or a moving violation, the intermediate stage driver will be eligible to challenge and pass an advanced road test.

It is also recommended that the time limit be set at a maximum of two years (two licence renewals) within the intermediate stage before the novice must challenge and pass the advanced road test to progress.

It is recommended that an application for a retest be set a minimum of thirty days after the most recent failed test. Failure to complete the intermediate stage within two years would result in a requirement to retake and pass the primary road test to be eligible for another year within the intermediate stage. The same conditions would then apply after this year.

The Task Force also recommends that a third (probationary) stage be set at 12 months cumulative. (Ref. Page #9)

Motorcycles

During public consultations, motorcycle enthusiasts and riders appeared before and made presentations to the Task Force hearings. The Coalition of Manitoba Motorcycle Groups (CMMG) asked the Task Force "to ensure that their concerns with respect to graduated licences for motorcyclists is adequately and fairly addressed". Their recommendations include five basic principles including:

- licencing based on merit and performance not on age or type of vehicle
- GDL restrictions based on factual data not public opinion
- correlation between restriction and accident causation
- incentive programs based on reduced insurance premiums for completion of universally available training programs
- the creation of universally accessible driver and motorcycle training programs

The CMMG supports, in principal, the implementation of a graduated licence system with the following recommendations:

Learner Stage:

- beginner permit stage be one month before a road test
- learner stage three months maximum renewable once for three months
- limit the number of beginner permit renewals permitted without taking a road test
- mandatory rider training if rider continues to fail road test
- no passenger

- restricted to daylight hours (1/2 hour after sunrise ½ hour before sunset)
- Zero alcohol tolerance
- Restricted to Manitoba only
- Learner licence plate

Intermediate Stage:

- Re-instate skills test and include evaluation of skills
- 12 months minimum before unrestricted licence
- Reduce time to 6 months if successfully complete motorcycle training
- Novice licence plate
- No at-fault traffic accidents
- Zero alcohol tolerance
- Road Test
- Separate streams for GDL passenger vehicles and motorcycles

Full Licence:

- No restrictions.

The CMMG does not support:

- a learner under the direct supervision of a licenced motorcyclist,
- any speed restriction or restriction from any designated street or highway,
- any restriction based on motorcycle size or cubic centimetre displacement

Having reviewed other Canadian GDL programs the Task Force has found a wide divergence between GDL motorcycle program requirements. New Brunswick is silent on any motorcycle GDL program requirements while Prince Edward Island requires that a new motorcycle driver operate within 30 km's of home. Other provinces apply similar restrictions to those required of automobile drivers.

British Columbia requires that before a motorcyclist begins they must pass all tests and exams including two knowledge tests, one based on safe driving and the other on safe riding. The new motorcyclist must, for the first thirty

days, operate within the line of sight of a supervisor who holds a Class 6 licence and is a minimum of nineteen years of age. After this time period the supervising restriction will be removed if the operator passes a motorcycle skills test allowing the operator to become a learner motorcycle driver.

In British Columbia the learner stage is six months in length and subject to a three month discount for passing a provincially approved driver education course. There is also a zero blood alcohol requirement, a learner identification sign, no passenger rule, daylight driving only, a speed limit and a freeway prohibition. Meeting these requirements the learner is able to challenge the first road test. A learner driver passing the level one road test advances to the Intermediate stage. Once in the Intermediate stage the motorcycle driver and the automobile driver are considered the same for the purposes of the Advanced road test. A driver need only challenge the advanced road test once as the test criteria are near identical for both vehicles and are based largely on hazard identification and avoidance.

The British Columbia Intermediate Stage restrictions include zero blood alcohol, 18 months stage length and novice licence plates. Some additional restrictions apply if the vehicle being used is considered a scooter.

In Ontario the automobile and the motorcycle GDL programs operate independent from one another. Ontario accepted their motorcycle community's advice that experience in a car was not transferable to a motorcycle due to the different configuration of the vehicles. Using this method of motorcycle GDL program, it is possible for dual GDL novice driver licencing causing additional administrative licencing complications. The Learner stage restrictions in Ontario are similar to British Columbia.

Manitoba motorcycle driver testing statistics indicate that in 1997, 2209 motorcycle written tests occurred while just 740 road tests were attempted. In 1998, the number of motorcycle written tests attempted were 2588 while just 808 road tests were taken. Until June 1999, there were 1183 motorcycle written tests with just 342 road tests.

In total, over two and one half years, while some 6000 motorcycle written tests were taken, only 1890 road tests occurred. While it is possible that some written tests may be repeated attempts, the same may apply for the road tests. We suspect that many new motorcycle drivers may not be taking

the road test perhaps choosing instead to renew their beginner licence every three months.

In Manitoba there were 7,929 motorcycles/mopeds registered for the year 1998. Manitoba motorcycle crash statistics for 1997 and 1998 show that of the two year total of 213 motorcycle traffic collisions there were 4 fatalities and 138 injuries.

To different degrees, all drivers are at risk whether they are operating a car or a motorcycle. The difference in risk between vehicles is obvious. When riding a motorcycle a mistake at the wrong time is more likely to have serious consequences. Similar to the automobile crash experience and formal driver education training, the Task Force is unable to determine any effective reduction in crash statistics and are therefore unable to recommend a stage time buy down until such a crash reduction is realized.

The Task force having reviewed comments from local motorcycle groups and the practices of Canadian jurisdictions recommends the following:

Beginning Motorcyclist:

- **Beginning motorcyclist be required to:**

  Pass a written knowledge test and a vision test and;

  Operate with a qualified (Class 6) mentor supervising driver for motorcycle handling skills development for a minimum of 30 days off roadways and;

  Challenge and pass a motorcycle skills test; or

- **Beginning motorcyclist be required to pass a written knowledge test, pass a vision test and pass a provincially approved motorcycle training course.**

- **That a distinction be made between a moped and a motorcycle for the purpose of appropriate testing and licencing.**

Learner (8L) Stage:

- **Zero blood alcohol condition**
- **Operate in daylight hours**
  ½ hour after sunrise ½ hour before sunset
- **16 years of age minimum**
  Guardian/Parent permission until 18 years
- **12 months minimum before primary road test**
- **12 consecutive months free of At-fault accidents & Violations**
- **No passenger**
- **Distinguishable 8L licence card and Learner licence plate/sign**
- **Pass primary road test to advance**
- **Violations and At-fault accidents same as passenger vehicles**

Intermediate Stage:

- **Zero blood alcohol condition**
- **12 months minimum, maximum 2 years or primary road retest**
- **Passenger allowed**
- **No night driving curfew**
- **Distinguishable 8N licence and licence plate/sign**
- **12 consecutive months free of At-fault accidents & Violations**
- **Pass advanced road test to progress**
- **Violations and At-fault accidents same as passenger vehicles**

Probationary Stage:

- **Zero blood alcohol condition**
- **12 months minimum**
- **12 consecutive months free of At-fault accidents & Violations**
- **Violations and At-fault accidents same as passenger vehicles**

Full Licence:

- **Passenger permitted**
- **No night curfew**

Reciprocity;

Manitoba, like all Canadian provinces, welcomes new residents from not only other provinces but from other countries around the world. While the number of jurisdictions with a GDL program is expanding there are still many without the benefit of such a program. New residents may arrive with or without the necessary records of their driving history. It is important to guard the safety of the public, and to ensure fairness for the new resident requesting a driver licence.

The Task Force recommends that the Division of Driver Vehicle Licencing develop reciprocity rules related to the different stages of GDL respecting current reciprocal licencing agreement compacts with other jurisdictions.

Experienced Driver Road Re-Testing

Many presenters at the public consultations expressed concerns regarding the deterioration of individual driving skills over time. Some presenters indicated that elderly parents were being issued a driver licence renewal when the family questioned the driving competency of the family member. Some presenters indicated that despite debilitating medical conditions family members were being issued renewed driver licences.

The Division of Driver Vehicle Licencing takes these matters seriously. Every concern the division receives concerning the medical competency of a family member is very carefully reviewed and the most appropriate action is taken. Division action includes immediate driver licence suspension or a request for a medical examination and report. While such Division actions are appropriate, taken at face value, the public's anecdotal comments are cause for concern.

Public recommendations included a mandatory driver re-testing based on a driver's record and time as a driver. Another public recommendation stressed driver road re-testing every ten years before age sixty, every five

years between sixty and seventy and annually thereafter. Other members of the public recommend driver re-testing every five years regardless of age.

There appears to be some statistical evidence, on a per thousand driver basis, to indicate an increasing accident involvement for those drivers in later years of age. The public has raised this matter as a public safety issue.

The Task Force recommends that the matter of driver road re-testing be considered for further investigation based on demonstrated crash experience.

Safe Vehicles

During public consultations several presenters expressed concerns regarding the safe condition of motor vehicles used for the training of and later used by novice drivers, in particular young drivers. Testimony from presenters indicate a practice whereby some parents allow a new unsupervised driver to use a vehicle which by its age and condition may not qualify for a safe motor vehicle certificate. Accepting the comments at face value one should be concerned for the safety of our 31,000 young new drivers who are less then 19 years of age.

In 1995 the Manitoba Government directed that the Manitoba Public Insurance Corporation phase out province wide motor vehicle safety inspection programs. Vehicles, which had randomly been called in for a safety evaluation, may now escape safety inspections if the vehicle once purchased is never sold outside the family. This means that a vehicle unless stopped by police, may never be subject to a safe vehicle inspection. While this matter is not a direct part of the GDL Task Force mandate it has never the less been raised by the public as a public safety issue.

To mitigate the risk to our beginning drivers, the Task Force recommends that the Department of Highways and Government Services, perhaps in conjunction with the Manitoba Public Insurance Corporation, consider more frequent vehicle safety inspections.

Seat Belts

During the Task Force hearings, the public was advised that in the current Manitoba Highways Traffic Act (Section 186, 1 –14) vehicle operators and passengers were required to use the seat belts provided within the vehicle. The fines for a contravention range from a low of $20 to a high of $100 with the average fine being $74. The public was also advised that while seat belt use was required, any number of additional, unrestrained passengers could be carried within the vehicle, providing that they did not obstruct the view of the vehicle operator (HTA section 182).

In cases of vehicles such as half-ton trucks, with all seat belts utilized any number of unrestrained passengers could be transported within the open back of a truck. While the Highway Traffic Act does not require that human passengers be restrained in the open truck box area, the law does require that animals being similarly transported be tied in. The Animal Care Act, Regulation 5E, prohibits the carriage of an unrestrained companion animal in the open back of a truck. Failure to comply may result in a fine of $147 twice the fine for a similar offence of transporting humans.

In the province of Quebec, the recent horrific crash of a van transporting young children to a day-care outing has clearly demonstrated the risk and the consequences of transporting unrestrained passengers in any type of vehicle. Considering the current Manitoba Highway Traffic Act requirement it seems illogical in some vehicle configurations to required the restraining of a pet but not a child or adult.

Some may debate that flexibility is required in the transportation of multiple passengers. This argument is moot considering that there are any number of different multi-use vehicle passenger configurations available on the market.

It is the recommendation of our Task Force that the Manitoba Highway Traffic Act be amended to reflect that all passengers must be restrained by an approved passenger restraint device in any vehicle configuration unless exempt for medical reasons.

Vision Test:

The Task Force also heard anecdotal comments from several presenters indicating knowledge of individuals receiving driver licence renewals despite being legally blind. Taken at face value, this advice indicates a safety hazard to the public and should require further investigation into the practices of driver licence renewal and a requirement for vision re-testing. It has been determined that the current practice of licence renewal does not include a vision test. Such a test is only required if there is involvement with a medical doctor who are required to report such matters to the Department of Driver Vehicle Licencing. While this matter was not directly within the mandate of the Task Force it does involve public safety.

The Task Force recommends that the Manitoba Highway Traffic Act be amended to require that a vision-screening test become a requirement with the current practice of photolicence renewal or the renewal of a multi-year licence.

Merit Masking:

The Task Force was informed of a less then desirable component of our current licencing process.

Many Highway Traffic Act offences are assessed at 2 points per infraction regardless of the severity of the offence. Several Canadian provinces utilize a menu of offences depending on the severity of the violation committed. Points assessed range from 2 demerits for minor items such as failing to stop at a stop sign to multiples of ten for offences such as careless driving.

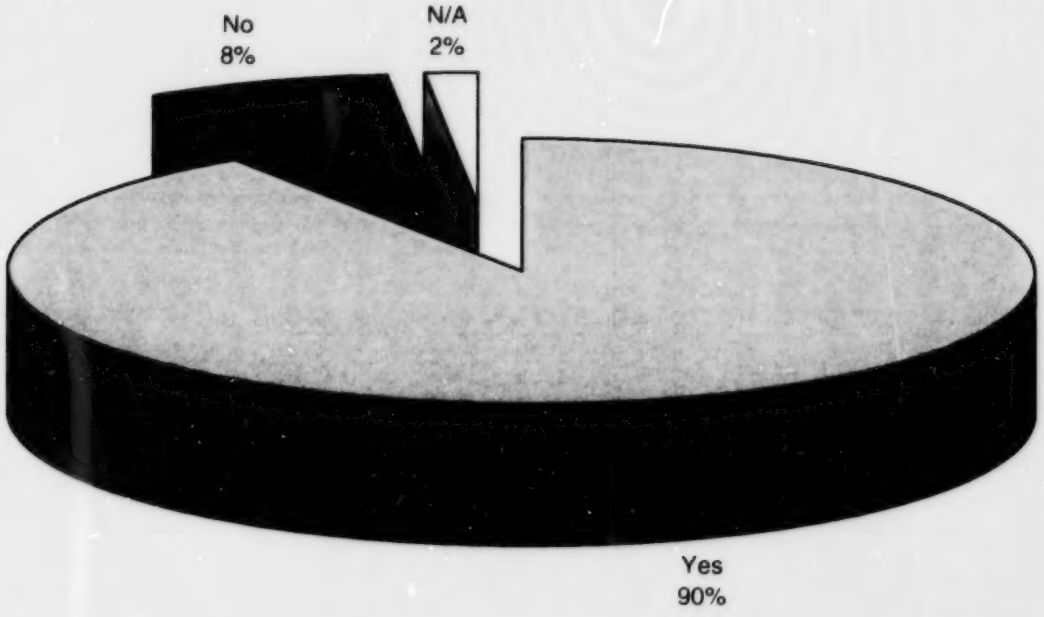
Manitoba drivers who have accumulated 5 merits could have a series of minor accidents, moving violations or combinations thereof before flags are raised. Our current system of driver improvement and control will not be triggered until a driver falls below zero merits. This is known as merit masking. The Task Force is aware that this matter was not directly within its mandate. The express purpose of the Graduated Licencing program is to train and develop drivers for a lifetime of safe driving. It is on this basis that a recommendation is made.

The Task Force recommends that the Department of Driver Vehicle Licencing develop a Driver Improvement and Control Program with the goal to bring about quicker intervention with problem drivers and to improve road safety by influencing problem drivers to drive more safely.

Conclusion:

It was an honour and a privilege for our Task Force to work with many Manitobans in the development of these recommendations for a made in Manitoba Graduated Driver Licence program. It is our sincere wish that these efforts will result in significant reductions in motor vehicle accidents and an improvement in the overall driving skill, knowledge and attitude of our driving public.

Chart 1.1 - Should Manitoba Introduce Some Form of a GDL Program?



NDP Caucus Graduated Drivers Licence Task Force

All Survey Respondents

Chart 1.2 - Do You Believe the Current Driver Licencing System is Good?

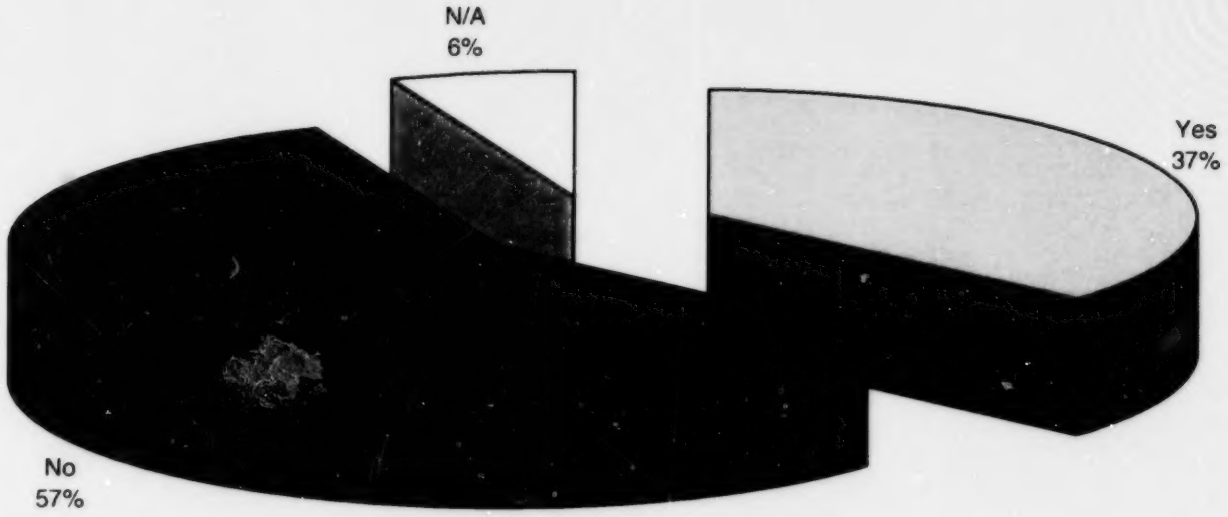
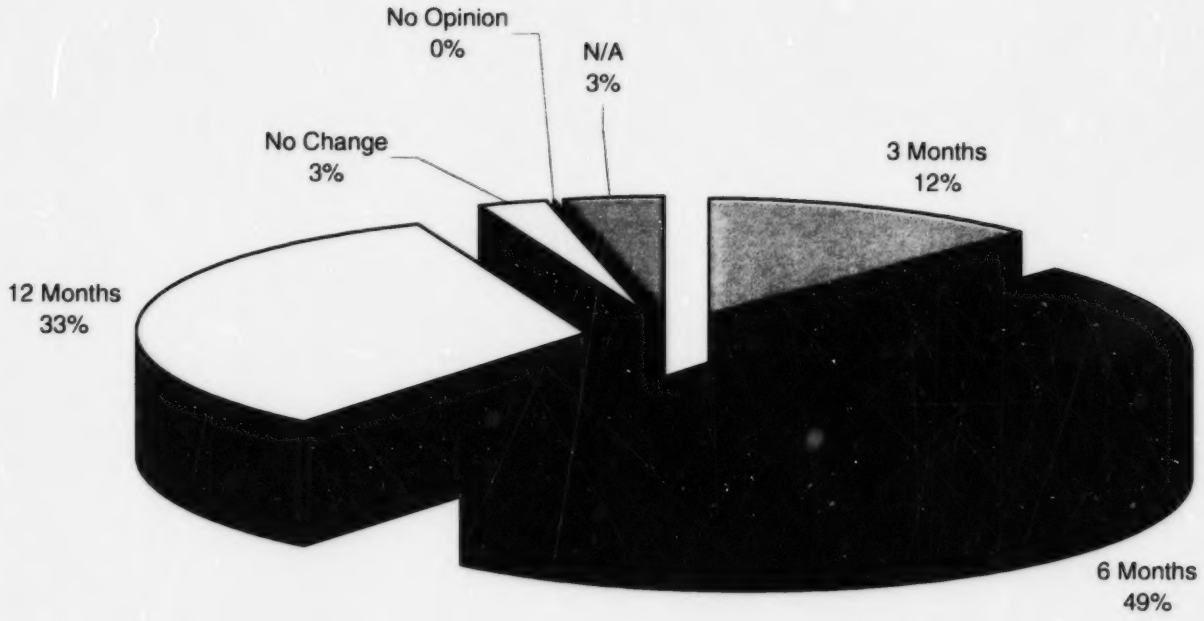


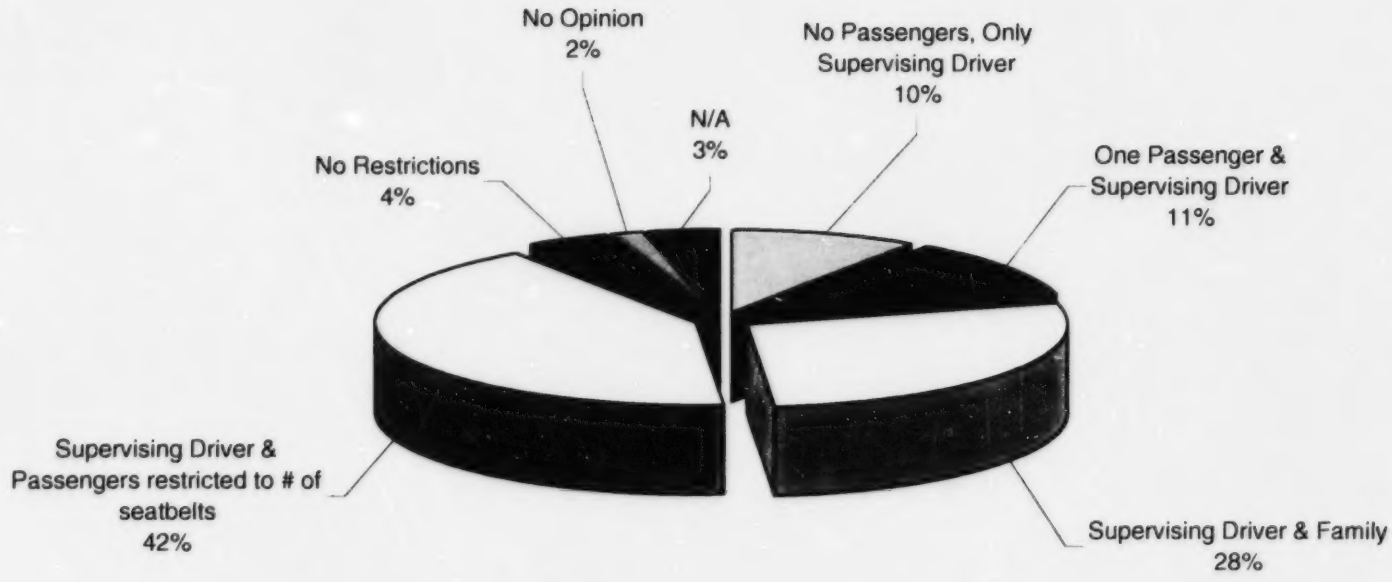
Chart 1.3 - What Would be a Suitable Length of Time for the Learner Stage?



NDP Caucus Graduated Drivers Licence Task Force

All Survey Respondents

Chart 1.4 - Should Manitoba Impose Learner Stage Passenger Restrictions that Permit:



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All Survey Respondents

Chart 1.5 - The Supervising Driver Should hold a:

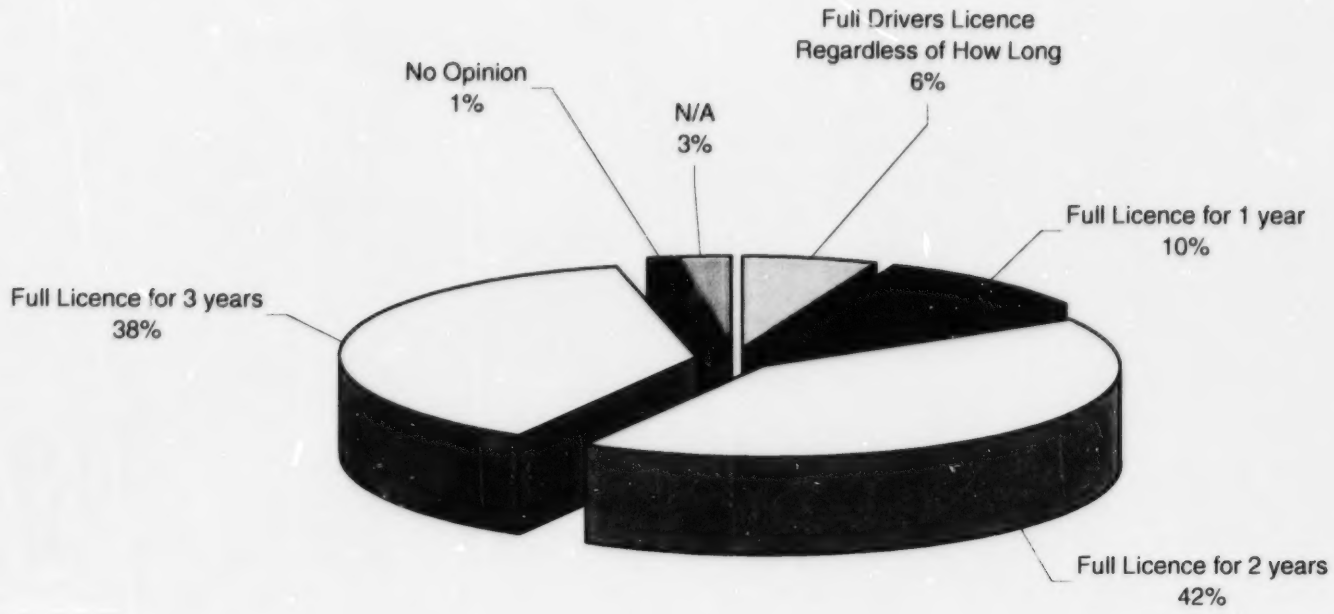
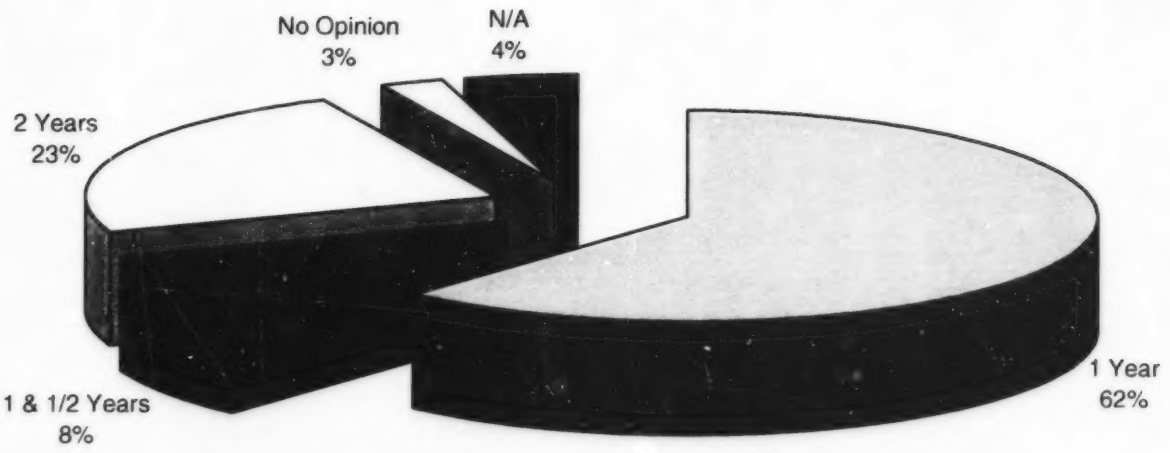


Chart 1.6 - What would be a Suitable Length of Time for the Intermediate Stage?



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All Survey Respondents

Chart 1.7 - In Your Opinion, Manitoba Should have:

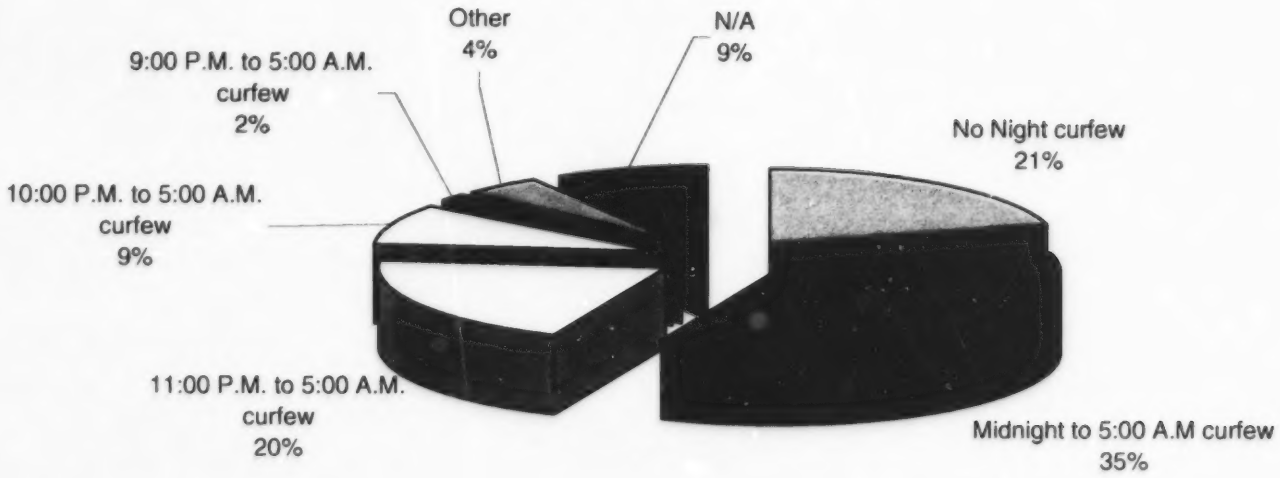

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Chart 1.8 - Should Manitoba Exempt Curfews for Farming Reasons?

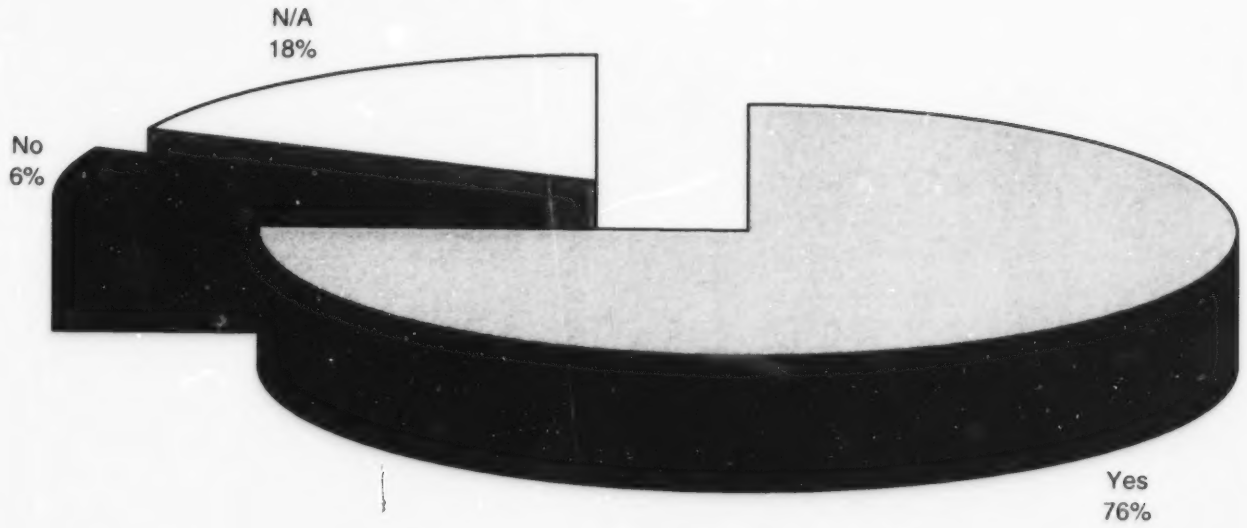
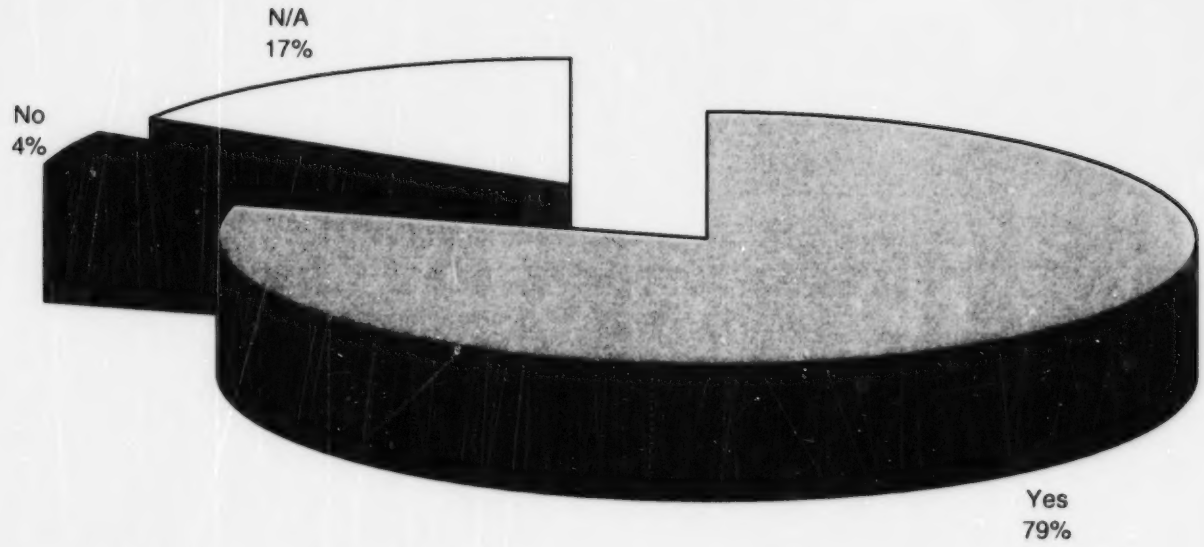


Chart 1.9 - Should Manitoba Exempt Curfews for Employment Reasons?



NDP Caucus Graduated Drivers Licence Task Force

All Survey Respondents

Chart 1.10 - Should Manitoba Exempt Curfews for Reasons Related to School Activities?

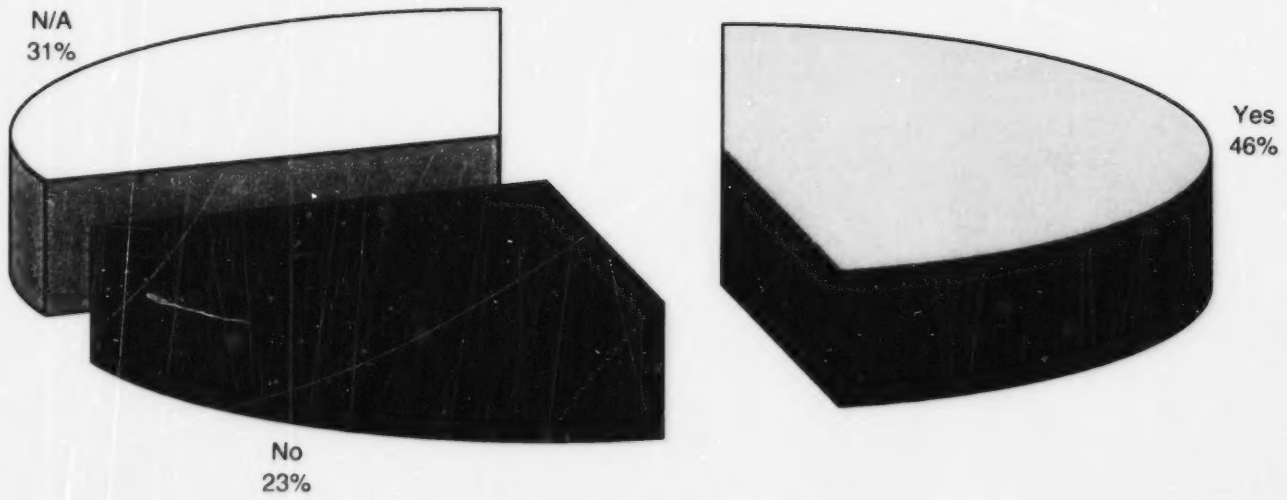
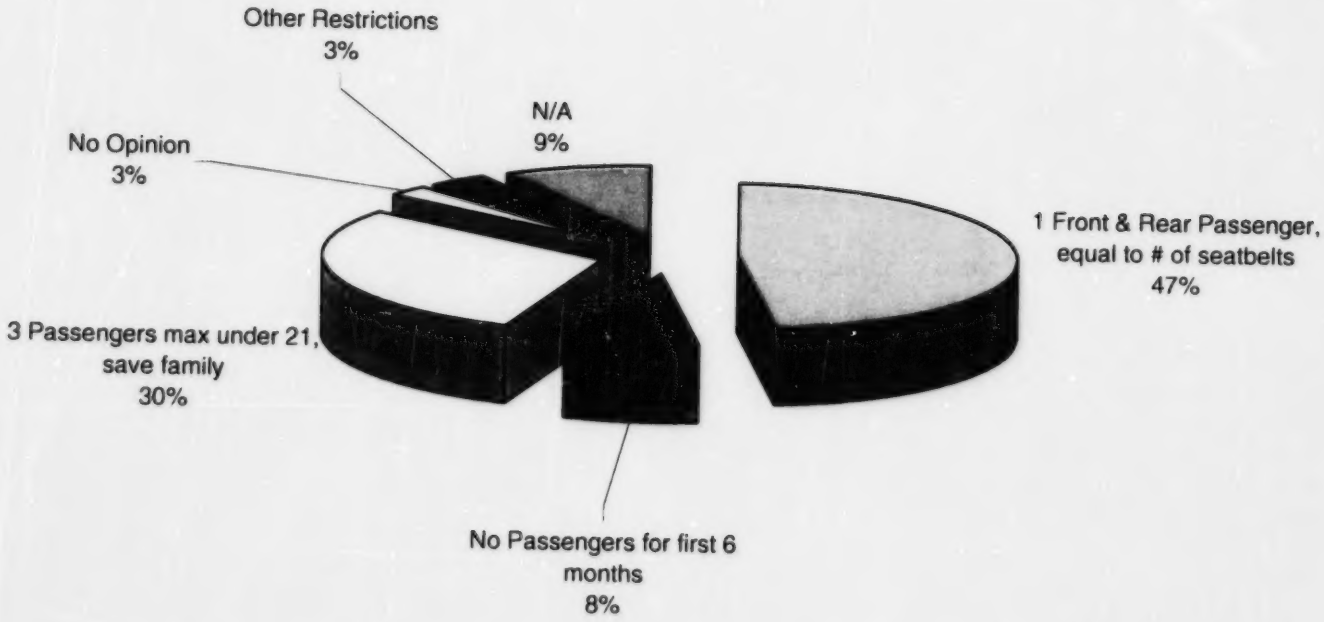


Chart 1.11 - Should Manitoba Impose Restrictions in the Intermediate Stage that permit:



NDP Caucus Graduated Drivers Licence Task Force

All Survey Respondents

Chart 1.12 - Should There be a No-Alcohol Tolerance Law in a GDL Program?

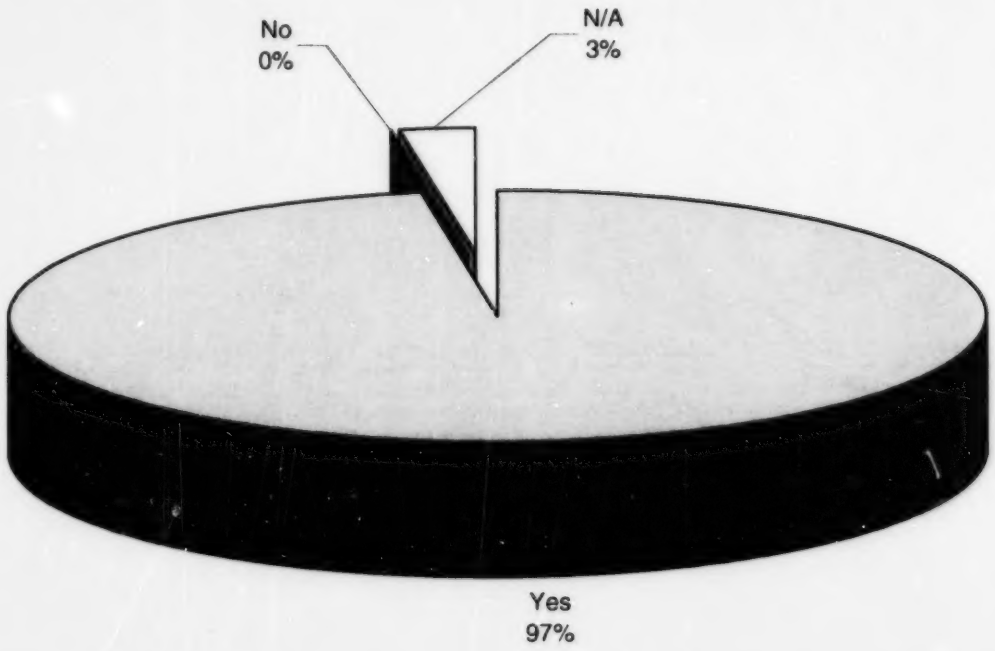
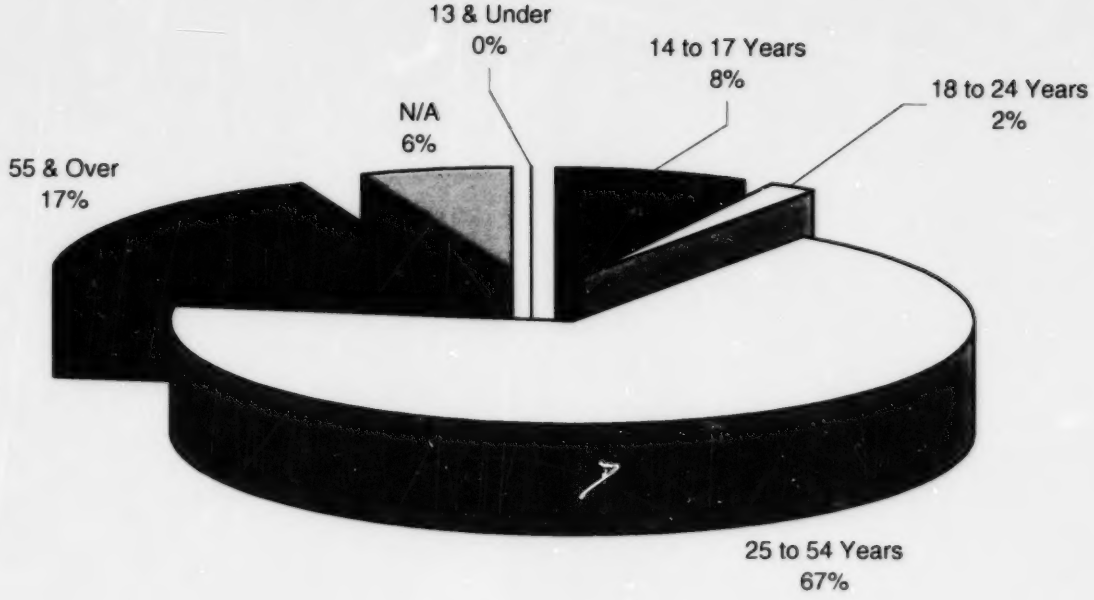


Chart 1.13 - Age Catagories of Survey Respondents



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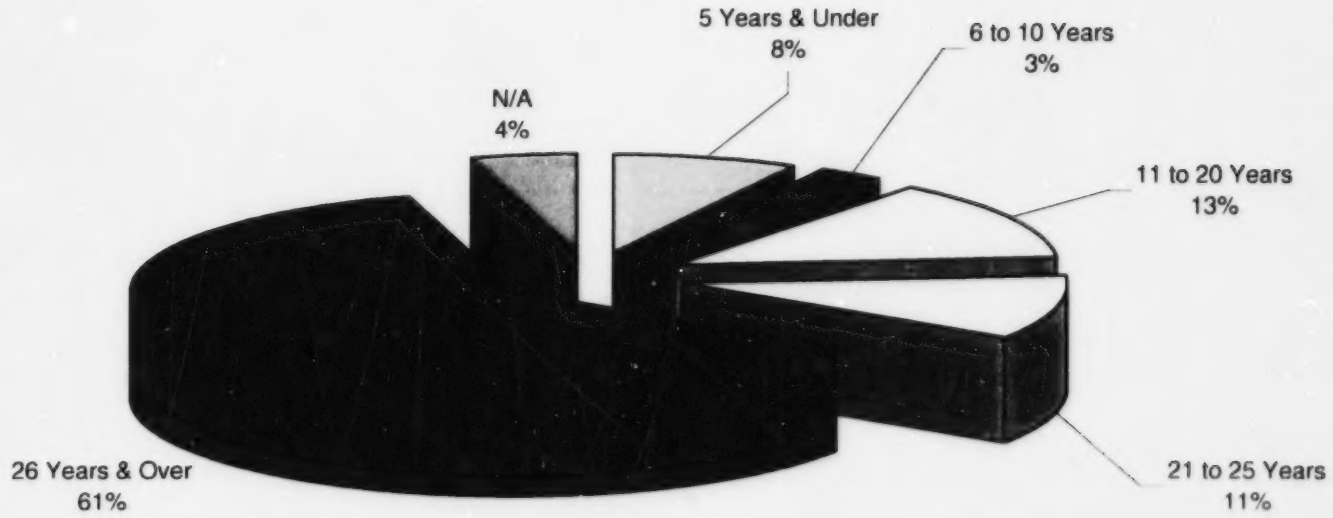
All Survey Respondents

Chart 1.14 - Driving Experience in Years of Survey Respondents



Graduated Driver Licence

Task Force Report

Summary Recommendations

June 2000

Task Force Report

Summary Recommendations

Preconditions to enter the Learners Stage:

1. Pass vision & written knowledge test (rules of the road, signs & signals);

2. Fail written test, wait seven days, re-apply for appointment, rewrite test;

Learner Stage (Class 7L):

- Distinguishable "7L" driver's licence.

- 16 years of age minimum (parent/guardian permission until 18).
  15 ½ years High School Driver Education (no GDL time credit)

- "0"Blood Alcohol.

- Supervising Driver;
  3 years driving experience (full licence) cumulative;
  Less then ".05" BAC (HTA chg. Demerits);
  No Criminal Code/Driver Improvement suspensions last 2 years
  Only front seat passenger and alert

- Supervising driver only passenger;
  Exempt certified driving instruction

- 12 months, minimum (9 months with 3 month carry over)

- No time credit for Driver Education/ Driver Advanced Training.

- Vehicle "Learner" sign/plate.

- No night driving curfew.

- No commercial licence (class 4 to 1).

- Violation:
  >"0"BAC, (HTA)
  One year driving suspension (no appeal)
  Return to beginning of Learner Stage

  HTA or At-fault accident, DDVL options:
  Suspension of licence and /or
  Restart Learner Stage, all conditions and/or
  Other licencing restrictions or
  No action required.

- Primary road test:
  12 consecutive mo. free of violations/at-fault accidents
  Fail, retest after 30 days,
  Pass, progress to Intermediate Stage.

Intermediate Stage (Class 7N):

- Distinguishable "7N" driver's licence
- "0"Blood Alcohol;
- Passengers limited to;
  One front seat passenger only plus # of functional seat belts;
  Midnight to 5 AM, one passenger or
  Midnight to 5 AM, supervising driver only front seat passenger plus balance of functional seat belts.
- No night driving curfew (night driving restrictions);
- 12 months (15 Months) minimum,
  Maximum 2 years or retake primary road test;
- Vehicle "Novice" sign/plate;
- No commercial licence (Class 4 to 1);
- Violation:

  >"0"BAC, (HTA)
  One year driving suspension (no appeal)
  Return to Beginning of Learner Stage;

  HTA and At-fault accident, DDVL options:
  Licence suspension and/or
  Other licence restrictions and/or
  Extension of Intermediate Stage and/or
  Return to Learner Stage, all conditions apply or
  No action required.

- Advanced Exit road test:
  After 12 consecutive mo. free of violations/at-fault accidents,
  Fail, retest after 30 days;
  Pass, progress to Probationary Stage.

Probationary Stage (Class 7P):

- Distinguishable "7P" driver's licence
- "0"Blood Alcohol
- Passengers limited to:
  One front seat passenger only plus # of functional seat belts
- No night driving curfew
- No commercial licence (Class 4 –1)
- No road test
- 12 months minimum
- Violations:

  >"0"BAC, (HTA)
  One year driving suspension (no appeal);
  Return to beginning of Intermediate Stage;

  HTA offence or at-fault accident;
  And/or a combination of HTA & At-fault;

  DDVL options;
  Licence suspension and/or
  Extension of probationary stage and/or
  Other licence restrictions and/or
  Return to Intermediate stage with,
  No time credit
  Full fees
  Advanced road retest
  No action required.

- 12 consecutive months free of violations / at-fault accidents,
  Progress to full driver licence.

Full Driver Licence (Class 5):

- Full driving licence Class 5;
- Passengers limited to number of functional seat belts
- Violation :
  HTA offence or at-fault accident and/or;
  A combination of HTA & At-fault accidents
- Action for Violations:

  Driver Improvement and Control Programs (DDVL)

  Intervention depends upon the severity of the offence and the driver involvement.

  Progressive disciplinary intervention.

Motorcycles:

Learner Stage (Class 8L):

- All beginning motorcyclists:
  Qualified mentor supervisor for 30 days and
  Pass a motorcycle skills test, or;
  Pass a provincially approved training course and;
  8L issued

- Distinguishable "8L" driver's licence

- Motorcycle "Learner" sign/plate

- "0" Blood Alcohol Content (BAC)

- Daylight hours - ½ hour after sunrise ½ hour before sunset

- 16 Years minimum age (parental permission until 18)

- 12 months minimum;

- No passenger

- Violations:
  >"0" BAC, (HTA chg.)
  One year driving suspension (no appeal)
  Return to beginning of Learner Stage

  HTA or At-fault accident, DDVL options:
  Suspension of licence and /or
  Return to beginning of Learner Stage, and / or
  Other licencing restrictions or
  No action required.

  - Primary 8L road test:
    12 consecutive mo. free of violations/at-fault accidents,
    Fail, retest after 30 days
    Pass, progress to Intermediate Stage.

Motorcycles cont'd

Intermediate Stage (Class 8N):

- Distinguishable "8N" driver's licence
- "0" BAC
- 12 months minimum – maximum 2 yrs., retake primary road test;
- Passenger allowed
- No night driving curfew
- Motorcycle "Novice" sign/plate
- Violation:
  >"0" BAC, (HTA chg.)
    One year driving suspension (no appeal)
    Return to beginning of Learner Stage;

  HTA and At-fault accident, DDVL options:
    Licence suspension and/or
    Other licence restrictions and/or
    Extension of Intermediate Stage and/or
    Return to beginning of Learner Stage, or
    No action required.

- Advanced Exit road test:
    12 consecutive mo. free of violations/at-fault accidents,
    Fail, retest after 30 days,
    Pass, progress to Probationary stage.

Motorcycle cont'd

Probationary Stage (Class 8P):

- Distinguishable "8P'driver's licence
- "0" BAC
- One year probationary
- Violations:

  >"0" BAC, (HTA)
  One year suspension (no appeal).
  Return to beginning of Intermediate Stage

  HTA or At-fault accident, DDVL options;
  Licence suspension and/or
  Other licence restrictions and/or
  Extension of probation or
  Return to beginning of Intermediate Stage
  No action required.

- 12 consecutive months free of violations/at-fault accidents,
  Progress to full motorcycle licence

Motorcycle cont'd

Full Motorcycle Licence:

- Full driving licence
- Passenger permitted
- No daylight restriction
- Violations :

  HTA offence and/or at-fault accident;

- Driver Improvement and Control Programs:

  Intervention depends upon the severity of the offence and the driver involvement.

  Progressive disciplinary intervention.

Combination Car / Motorcycle